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FOREST SERVICE

Henry S. Graves, Forester

STATE FORESTRY LAWS

A parallel classification showing the comparative progress of each State in forestry legislation

WEST VIRGINIA

(Serial 1—Through Reg. and Sp. Sessions, 1917)

Compiled in the Office of State Cooperation by Jeannie S. Peyton

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PURPOSE OF COMPILATION.

The compilation of which this leaflet is but a part aims to meet a manifest need of the times for a work of reference by means of which the legislation underlying the forestry activities of the various States can readily be studied and compared. To this end, only such of the State laws as bear more or less directly upon the practice of forestry are here compiled, to the exclusion of all other laws concerning timber and trees, of all detailed forest insect and fungus provisions (which, while germane to forestry, usually arise from acute local conditions, and are not of general interest), as well as of all annual or biennial appropriations, and other similarly transitory provisions. Succeeding issues of each State leaflet, to form a separate series for each State, will serve to keep these fundamental laws up to date and free from encumbrance by obsolete provisions. The laws themselves have been analyzed and classified, in detail, to show the activities of the various officers and governing bodies, as these bear on "Administration," "Fire Protection," "Public Forests," and "Taxation," the text being skeletonized in blackface type, and copiously cross-referenced, in italic, to aid the rapid sensing of the entire legislation or of any particular part of it. A Table of Acts is appended to each leaflet for the benefit of any who do not have access to the original enactments from which the provisions used in the compilation were taken, and who desire to reconstruct them.

PART I.—ADMINISTRATION.

(This part comprises the provisions of law, if any, defining the general administrative duties of the regularly constituted State forestry officials; also certain miscellaneous forestry provisions. For specific provisions, if any, concerning administrative duties of these or other State officers in connection with forest fires, State and municipal forests or other State lands, or forest taxation, see Parts II, III, and IV, respectively.)

FOREST, GAME AND FISH WARDEN.

1. Appointment—Term of Office—Discharge of Duties.

¶1. The governor shall between the first day of June and the first day of July, one thousand nine hundred and nine, appoint some person, a citizen of this state, whose term of office shall begin on the first day of July, one thousand nine hundred and nine, to the office of forest, game and fish warden. Said warden shall hold his office for four years and until his successor has been appointed and qualified, unless sooner removed for cause by the governor. * * * ¶2. Said warden shall devote all his time to the discharge of the duties of his office, imposed upon him by law. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

2. Salary and Expenses.

He shall receive for his services the sum of eighteen hundred dollars per annum, to be paid out of the treasury, quarterly, after being duly audited; and shall be allowed mileage of three cents a mile while traveling by railroad or steam-boat, and ten cents a mile while traveling otherwise than railroad or steam-boat, for the distance necessarily traveled while actually in the discharge of his official duties as such warden. Mileage expense approved quarterly—Amount limited.—*Provided, however,* That the mileage expenses of said warden shall be reported quarterly under oath to the governor and approved by him; *and provided, further,* That such mileage expenses shall not, in any one year exceed five hundred dollars. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

3. Bond.

The forest, game and fish warden and the chief deputy wardens, shall each, before entering upon the discharge of their respective duties, execute a bond in the penalty of three thousand five hundred dollars, with security therein to be approved by the governor, and conditioned for the faithful performance of their duties, and to account for and pay over all moneys and property coming into their hands, due and belonging to the state, * * * which said bonds, after having been approved by the governor, shall be deposited with the auditor. [L. 1909, ch. 60 (sec. 6); Code 1913, sec. 3454 (ch. 62, sec. 6); L. 1915, ch. 14 (sec. 6).]

4. Allowed Printing and Stationery Privileges.

The forest, game and fish warden shall be allowed all necessary printing, printed blanks, stationery and postage; [Expense for printing approved by governor.—] but before he shall incur any expense for printing, he shall first make requisition therefor upon the governor, who, in his discretion, approving the same, shall issue his warrant to the warden for said printing, the cost and expense therefor to be paid out of the state treasury. [L. 1909, ch. 60 (sec. 10); Code 1913, sec. 3468 (ch. 62, sec. 10).]

5. General Powers and Duties.

The forest, game and fish warden shall have general charge of the following public matters, and necessary powers therefor. Publishes information concerning the forests.—The collection and diffusion of such statistics, literature and information as he may deem useful in

regard to the protection of forest and the protection and propagation of game and fish, the publishing thereof, [Has charge of official reports and books.—] and the taking charge of and keeping all reports, books, papers and documents which shall, in the discharge of his duties hereunder, come into his possession and control, [Prosecutes violators of forest laws.—] and the institution of all proper legal proceedings to enforce the provisions of law, now in force, or hereafter enacted, in reference to forests, game and fish.¹ [L. 1909, ch. 60 (sec. 2); Code 1913, sec. 3450 (ch. 62, sec. 2).]

6. Makes Biennial Report and Fiscal Statement.

Said warden shall, on or before the first day of January, one thousand nine hundred and eleven, and biennially thereafter, submit to the governor, a detailed report showing what has been done by him during the preceding biennial period, the amount of all moneys received by him and from what sources, in detail, a complete inventory of all game and other property seized and sold, and the amount received therefor, and the amount of disbursements in detail. Books and vouchers subject to examination by state auditor.—The books and vouchers of said warden shall be subject to examination by the auditor of the state at all times. [L. 1909, ch. 60 (sec. 2); Code 1913, sec. 3450 (ch. 62, sec. 2).]

7. Pays into State Treasury One-Half of Fines.

[After payment to each deputy warden of half of every fine resulting from prosecutions by him²] the other half of such fine shall be paid to forest, game and fish warden, who shall pay the same over to the treasurer of the state, to be credited by him as other fines are credited; * * * [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

8. Additional Duties.

Appoints:

State forester. (See I, 9.)

Chief deputy wardens. (See I, 12.)

Deputy wardens. (See I, 18.)

Approves and submits to governor mileage accounts of chief deputy wardens. (See I, 13.)

Furnishes report blanks to deputy wardens. (See I, 16.)

STATE FORESTER.

9. Appointment.³

[The forest, game and fish warden] shall appoint some suitable person of sufficient education, training and practical experience in forestry, as state forester, * * * [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

10. Bond.

Before entering upon the discharge of his duties, the said state forester shall execute a bond in the penalty of three thousand five hundred dollars, with surety therein, to be approved by the forest, game and fish warden, and condi-

¹ See also I, 27.

² See I, 19.

³ There is no specific provision of law concerning the state forester's salary and expenses. They are, accordingly, paid out of the general fund known as the "Forest, Game, and Fish Protective Fund." (See I, 26.)

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tioned for the faithful performance of his duties and to account for and pay over all moneys coming into his hands due and belonging to the state, * * * which said bond, after having been approved by the warden, shall be deposited with the auditor. [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).] **Penalty for false returns as to moneys collected or disbursed, or failure to pay over fines.**—(See I, 32.)

11. Duties in General.

Reforestation lands. * * * who [the state forester] shall work under the direction of the forest, game and fish warden, and assist him in formulating the best methods of re-forestation cut over and denuded lands, [Preventing fires.—] preventing the destruction of forests by fire, [Administering state forest lands.—] administering the forests on forestry principles, [Promoting private forest management.—] instructing and encouraging private owners in preserving and growing timber for commercial and manufacturing purposes, [Establishing and maintaining patrol and lookout work.—] establishing, equipping and maintaining patrol routes and lookout stations, [Securing cooperation of private and federal agencies.—] and securing the aid and co-operation of individuals, companies, organizations and the federal government. [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

DEPUTY FOREST, GAME AND FISH WARDENS.

CHIEF DEPUTY WARDENS.

12. Appointment—Term of Office.

Said warden [forest, game and fish warden] shall appoint two persons who are citizens of this state and one of whom shall reside in the eastern section of the state, chief deputy wardens of forests, game and fish, said chief deputies shall hold their office at the pleasure of the warden appointing them. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

13. Salary and Expenses.

Said chief deputies shall each receive for their service, the sum of nine hundred dollars a year, to be paid out of the treasury quarterly after being duly audited, and shall be allowed mileage of three cents a mile while traveling by railroad or steamboat, and ten cents a mile while traveling otherwise than by railroad or steamboat, for the distance necessarily traveled for the purpose of performing the duties imposed upon them by law, and they shall devote all their time thereto, [Quarterly reports made as to mileage—Approval.—] such mileage expense of either of said chief deputies, shall be reported quarterly [quarterly] under oath to the warden and approved by him, and forwarded to the governor and approved by him; [Limitation of mileage.—] *provided, however,* that said mileage in any one year, shall not exceed four hundred dollars to each chief deputy warden. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

14. Are Under Direction of the Forest, Game and Fish Warden.

¶1. The chief deputy and deputy wardens shall act and be under the direction and supervision of said forest, game and fish warden. * * * ¶2 and shall be immediately responsible to the warden, and * * * ¶3 receive instructions from him. [L. 1909, ch. 60 (sec. 3); Code 1913, sec. 3451 (ch. 62, sec. 3).]

15. Enforce Forest Laws.

Said chief deputy and deputy wardens shall have authority, and it shall be their duty to enforce the game, fish and forest laws of this state, now in force or hereafter enacted, for the protection of forests and protection, preservation and propagation of game, fish and birds. * * * [L. 1909, ch. 60 (sec. 3); Code 1913, sec. 3451 (ch. 62, sec. 3).] **Prosecute offenders.**—(See I, 27b, c.)

16. Make Reports to Forest, Game and Fish Warden.

a. **Quarterly reports upon work in general.**—The appointed deputy wardens shall on the first of the months of January, April, July and October of each year make a report under oath to the forest, game and fish warden, which reports shall show in detail the work done by them severally during the three months next preceding. The forest, game and fish warden shall furnish the deputy wardens all necessary blank forms and stationery for making said reports. **Accounting required in respect to suits, showing moneys received from fines, etc.**—All such reports shall show an account of the suits commenced, the justice or court before whom such proceedings were had, the number and kinds of game, fish, birds and property seized, and what disposition was made of the same, the amount of proceeds of sale, and the amount of money, if any, received by him for fines imposed, or from any other source provided for by this chapter. [L. 1909, ch. 60 (sec. 15); Code 1913, sec. 3473 (ch. 62, sec. 15); L. 1915, ch. 14 (sec. 15).] **Upon mileage expenses.**—(See I, 13.)

b. **Special reports, upon request.**—[The chief deputy and deputy wardens] shall report all matters under their jurisdiction, whenever requested by him [the forest, game and fish warden] and * * * [L. 1909, ch. 60 (sec. 3); Code 1913, sec. 3451 (ch. 62, sec. 3).]

17. Additional Duties.

Give bonds. (See I, 3.)

Pay over one-half of fines to the forest, game and fish warden. (See I, 20.)

DEPUTY WARDENS.

18. Appointment—Term of Office.

The warden [forest, game and fish warden] shall appoint such persons as he may deem fit, who are citizens of this state, to act as deputy wardens in the several counties of this state. Said deputy wardens shall hold their office at the pleasure of the forest, game and fish warden. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

19. Compensation Consists Exclusively of One-Half of Fines, if Any, from Their Individual Prosecutions.

¶1. All said deputy wardens, either appointed or ex officio,¹ shall receive for their services one-half of the fines imposed by any justice or court having jurisdiction, and collected in each prosecution instituted by any such deputy warden, and * * * ¶2. but no fees or moneys shall be paid any deputy for services rendered as such deputy warden, out of the treasury of this state, and * * * [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

20. Pay Over to Forest, Game and Fish Warden, Within 30 Days, the Remaining Half of the Fines.

* * * all deputy wardens shall within thirty days after its receipt pay over to the forest, game and fish warden the fines collected by him [them], and the bonds of all *ex-officio* wardens shall be liable for any such moneys

¹ See I, 22.

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received by them. [L. 1909, ch. 60 (sec. 15); Code 1913, sec. 3473 (ch. 62, sec. 15); L. 1915, ch. 14 (sec. 15).]

21. Additional Duties.

Are under direction of forest, game, and fish warden. (See I, 14.)

Enforce forest laws. (See I, 15; 27b, c.)

Make reports, quarterly and special, to forest, game, and fish warden. (See I, 16a, b.)

EX OFFICIO DEPUTY WARDENS.**22. Sheriffs and Constables, and Chiefs of Police are Deputy Wardens, Ex Officio—Jurisdiction.**

The sheriffs, deputy sheriffs and constables in the several counties of this state shall be ex officio deputy wardens therein, and the chiefs of police of the cities, towns and villages of this state shall also be ex officio deputy wardens therein and their jurisdiction shall extend no further than their respective counties, cities, towns and villages. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

23. Make Reports to Forest, Game, and Fish Warden.

a. Quarterly reports, if proceedings instituted, or moneys collected.—All ex-officio deputy wardens shall make a report to the forest, game and fish warden on the first day of January, April, July and October of each year if they have instituted any proceedings or collected any moneys under the provisions of this chapter during such preceding three months, and * * *. [L. 1909, ch. 60 (sec. 15); Code 1913, sec. 3473 (ch. 62, sec. 15); L. 1915, ch. 14 (sec. 15).]

b. Special reports, upon request.—(See I, 16b.)

24. Additional Duties—Compensation.

Act under direction of forest, game, and fish warden. (See I, 14.)

Enforce forest laws. (See I, 15; 27b (footnote 2), c.)

Compensation consists of one-half of fines collected. (See I, 19.)

Pay over other half of fines to forest, game, and fish warden—Bonds responsible. (See I, 20.)

EXPENDITURES.**STATE.****25. Pays:**

*a. Salaries and expenses of forest, game, and fish warden, and chief deputy wardens.*¹ (See I, 2; 13.)

b. Costs of requisitions and extraditions in prosecutions for violations of forest laws, when not collected from the offenders. (See I, 29 ¶4.)

GENERAL FUNDS APPROPRIATED.²**26. "Forest, Game and Fish Protective Fund" Made Available for the Payment of General Expenses Under the Forest Game and Fish Laws.**

* * * all other moneys³ due the state by virtue of any of the provisions of this chapter, as now amended, shall be paid into the state treasury and credited to the

¹ The State also pays the salary of the State forester, out of the "Forest, game, and fish protective fund" (see I, 26), and certain fire-protection expenses (see II, 14).

² Only such laws concerning appropriations are compiled as provide funds available, from year to year, until expended. Appropriations limited to a fixed annual or biennial period of expenditure are omitted because of the frequent changes in the amounts.

³ Moneys other than the net proceeds from fines mentioned in I, 39 a, b.

"forest, game and fish protective fund," and the same shall be applicable to the payment of the expense of inaugurating, carrying out and maintaining any and all of the purposes of this act set forth in this chapter as now amended, and of any other law relating to the protection of forests or the protection and propagation of game and fish, [Paid out upon requisition of the forest, game and fish warden.—] and shall be paid out upon the requisition of the forest, game and fish warden, approved by the governor, for which purposes said fund is hereby appropriated. [L. 1909, ch. 60 (sec. 31); Code 1913, sec. 3491 (ch. 62, sec. 31); L. 1915, ch. 14 (sec. 31).]

LEGAL PROCEDURE.¹**INSTITUTION OF PROCEEDINGS.****27. Forest Officials are Vested with Power in Respect to the Following Matters:**

a. The forest, game, and fish warden has general charge of, and necessary powers for, the institution of legal proceedings to enforce forest laws.—(See I, 5.)

b. The forest, game, and fish warden and deputy wardens execute and serve warrants, arrest violators without warrant, and make complaint before proper officer.—¶1. The forest, game and fish warden, and appointed deputy wardens² shall have full power to execute and serve any warrant or process of law, issued by any justice of the peace or by any court having jurisdiction under the law, relating to game, fish, birds and forests, in the same manner as any constable or sheriff might serve or execute such process, and may arrest on sight without a warrant, any person or persons, detected by them, actually violating any of the provisions of the laws of this state relating to the game, fish, birds and forests, and may take such person or persons, so offending, before any court, or justice of the peace, having jurisdiction of the offense, and make proper complaint before such court, or justice, which shall proceed with the case in the manner as provided by law. **Penalty for failure to proceed against violators.**—Any such appointed warden, who on receiving information from a reliable person, of the violation of the game, fish or forest laws, neglects or refuses to thoroughly investigate such alleged violation, and apprehend or attempt to apprehend the offender, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten dollars nor more than fifty dollars for each offense. [L. 1909, ch. 60 (sec. 4); Code 1913, sec. 3452 (ch. 62, sec. 4).] **Impress citizens in making arrests, seizures, etc.**—¶2. Any of the officers herein, whose duty it is to enforce the game, fish, bird and forest laws of this state, shall have the same right and power as sheriffs to summon aid in making arrests, seizures, or executing any process; [Penalty for refusing to arrest.—] and any person, or persons, so summoned, and refusing to act, shall be liable, upon conviction, to the same fines and penalties, the same as if summoned by a sheriff. **Arrests may be made on Sunday—Prompt procedure.**—Such arrests may be made on a Sunday, in which case the person, or persons arrested

¹ The subject of Legal Procedure is, for obvious reasons, most appropriately placed, ordinarily, in Part II. The unusually broad scope of this legislation, however, seemed to require its consideration in connection with the general subject of Administration.

² Ex officio deputy wardens (sheriffs, constables, and chiefs of police) have the same powers in virtue of their office. (See also, I, 15.)

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shall be taken before a justice, having jurisdiction, and proceeded against as soon as may be on a week day following such arrest. [L. 1909, ch. 60 (sec. 14); Code 1913, sec. 3472 (ch. 62, sec. 14).] **Wardens exempt from certain legal procedure.**—¶3. * * * in any prosecution under this chapter, section two of chapter thirty-six of the code of one thousand eight hundred and ninety-nine and section one thousand one hundred and fifty-nine of the code of one thousand nine hundred and six¹ shall not apply to any warden. [L. 1909, ch. 60 (sec. 1); Code 1913, sec. 3449 (ch. 62, sec. 1).]

c. **The forest, game and fish warden and deputy wardens institute proceedings without sanction of prosecuting attorney for the county.**—The forest, game and fish warden and deputy wardens may make complaint and cause proceedings to be instituted against any person or persons, or corporation, for the violation of any of the game, fish, bird and forest laws, without the sanction of the prosecuting attorney of the county wherein such proceedings are instituted; [Security for costs not required.—] and in all such cases they shall not be required to give security for costs. **Conduct prosecutions with same authority as prosecuting attorney.**—Any of said officers may also appear in any court of competent jurisdiction in this state, in any case for violation of any of the laws for the protection of forests, or the protection, preservation and propagation of game, fish and birds, and prosecute the same in the manner and with the same authority, as the prosecuting attorney of the county in which such proceedings are had. **May employ attorney.**—And in such cases they may, in the event of the refusal or neglect of the prosecuting attorney to act, employ an attorney of their choice, [Attorney's fee taxed in the costs.—] and to such attorney, or to the prosecuting attorney if he shall act, there shall be taxed in the costs, upon conviction, a fee of ten dollars in such case. [L. 1909, ch. 60 (sec. 11); Code 1913, sec. 3469 (ch. 62, sec. 11).]

28. **Penalty for Hindering Forest Officials.**

Any person who hinders, obstructs or interferes with, or attempts to hinder, obstruct or interfere with, the forest, game and fish warden and deputy wardens in the discharge of any of their respective duties herein, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five dollars nor more than two hundred dollars, together with the costs of the prosecution, and in default of payment thereof shall be confined in the county jail until said fines and costs are paid; *provided, however,* that such imprisonment shall not exceed ninety days. [L. 1909, ch. 60 (sec. 17); Code 1913, sec. 3475 (ch. 62, sec. 17).]

29. **Method of Procedure.**

Prosecutions are in the name of the State.—¶1. All prosecutions under this chapter shall be in the name of the state of West Virginia, before any court or justice having jurisdiction, and the justice shall have concurrent jurisdiction with the circuit and other courts in all misdemeanors, and in any case in which the prosecuting attorney appears, a fee of ten dollars shall be

¹ The certain legal procedure referred to requires that indictments, etc., shall have the name of the informer or prosecutor endorsed on them.

allowed him, to be taxed as a part of the costs of the case, and collected off the defendant, in case he is convicted. [L. 1909, ch. 60 (sec. 29); Code 1913, sec. 3489 (ch. 62, sec. 29).] **May not be adjusted by deputy wardens.**—¶2. It shall be unlawful for any deputy warden, either appointed or ex officio, to settle, compromise or adjust any prosecution under this chapter and to receive moneys from any violator or alleged violator of any of the provisions thereof, unless the same are moneys received in the payment of fines imposed in due process of law by a justice or court having jurisdiction of the offense charged. [Penalty.—] and if any such deputy warden shall receive any moneys from any such violator or alleged violator, either as such settlement and compromise or to prevent any prosecution [prosecution] therefor, such deputy warden shall be guilty of a felony and upon conviction thereof, shall be confined in the penitentiary not less than one nor more than five years. [L. 1909, ch. 60 (sec. 3); Code 1913, sec. 3451 (ch. 62, sec. 3).] **Competency of witnesses.**—¶3. Every person called as a witness in any case for the violation of any of the provisions of this chapter, shall be compelled to testify fully; but his testimony shall not be given in evidence against him in any prosecution for such offense; and no person against whom such witness shall so testify, shall be competent as a witness for the state, in the prosecution against such witness for the same offense or matters to which said witness so testified, nor for any violation of any provisions of this chapter, alleged to have been committed before the commencement of the prosecution in which he is examined as such witness. [L. 1909, ch. 60 (sec. 30); Code 1913, sec. 3490 (ch. 62, sec. 30).] **Expenses of requisitions and extraditions included in costs of prosecutions.**—¶4. In all cases where any person has been indicted for the violation of any of the provisions of this chapter, and has escaped or removed to another state, all costs of requisition and extradition papers and all other costs and expenses of securing and bringing such person back into this state, shall be charged as a part of the costs of prosecution against such person; [Paid out of "forest, game and fish protective fund," if not collected from offenders.—] and if such costs of requisition and extradition papers and expenses cannot be secured from such person, they shall be paid out of the "forest, game and fish protective fund."¹ [L. 1909, ch. 60 (sec. 32); Code 1913, sec. 3492 (ch. 62, sec. 32).]

FINES AND OTHER MONEYS.

30. **Disposition of Fines:**

a. **One-half of fines goes to deputy wardens for services rendered.**—(See I, 19 ¶1.)

b. **The other half is turned into state treasury, through the forest, game and fish warden.**—¶1. (See I, 7.) **Is credited to the "school fund."**—¶2. All moneys collected and due the state, under and by virtue of the provisions of this chapter, shall be disposed of as follows: The net proceeds of all fines collected from convictions of the violations of any section of this chapter, shall, after the payment of the amounts fixed by this chapter to the proper deputy wardens and the costs as provided by law, be paid into and credited to the "school fund" of the state, as

¹ See I, 26.

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provided by the constitution; * * * [L. 1909, ch. 60 (sec. 31); Code 1913, sec. 3491 (ch. 62, sec. 31); L. 1915, ch. 14 (sec. 31).]

31. Disposition of Moneys Other than Fines.¹

Moneys other than fines¹ are paid into the state treasury, and credited to the "Forest, Game and Fish Protective Fund." (See I, 26.)

32. Penalty for Making False Returns as to Moneys Collected or Disbursed, or Failure to Pay Over Fines.

The forest, game and fish warden and deputy wardens, or any other officer who shall make any false return as to moneys collected or disbursed by him, as provided for in this chapter or does not pay over to the proper officer as provided in this chapter, moneys collected by him for

finest, shall be deemed guilty of a felony, and upon conviction thereof shall be confined in the penitentiary not less than one year nor more than five years. [L. 1909, ch. 60 (sec. 16); Code 1913, sec. 3474 (ch. 62, sec. 16).]

33. Court Officials Make Quarterly Reports, to the Forest, Game and Fish Warden, as to Moneys Collected.

All justices and clerks of circuit and criminal courts before whose courts any case under this chapter comes, shall, on the first day of January, April, July and October, of each year, if there has been before this court [their courts] any case under this chapter, report to the state forest, game and fish warden all money collected by him [them] and the status of all cases pending or started in his court [their courts]. [L. 1909, ch. 60 (sec. 15); Code 1913, sec. 3473 (ch. 62, sec. 15); L. 1915, ch. 14 (sec. 15).]

PART II.—FIRE PROTECTION.

(This part comprises the general provisions of law, if any, concerning protection from forest fires. For localized provisions, if any, concerning protection of state-owned lands, see Part III.)

FIRE WARDEN.**1. Forest, Game and Fish Warden is Ex-Officio Fire Warden.**

The forest, game and fish wardens shall be ex-officio fire warden of the state of West Virginia, and * * * [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

2. Certifies Fire Reports to County Courts for Payment.

It shall be the duty of the * * * [fire] warden to carefully audit such report [deputy fire warden's report²], and after having satisfied himself of the correctness of same, he shall approve said report and certify same to the county court of the county wherein the fire occurred for payment. * * * [L. 1909, ch. 60 (sec. 52); Code 1913, sec. 3516 (ch. 62, sec. 52); L. 1915, ch. 15 (sec. 52).]

3. Additional Duties.

Enforces fire laws. (I, 5; 27.)

Takes necessary action to prevent destruction of forests by fire. (See I, 11.)

Has power to enter upon lands. (See II, 10d.)

Pays into State treasury one-half of fines. (See I, 7.)

Recovers, in name of county, fire-fighting expenditures and costs. (See II, 26d.)

STATE FORESTER.**4. Duties.**

Assists the fire warden in preventing the destruction of forests by fire. (See I, 11.)

Has power to enter upon lands. (See II, 10d.)

SPECIAL DEPUTIES AND INSPECTORS.**5. Appointment.**

The * * * [fire] warden may also appoint³ such special deputies and inspectors as are necessary to meet the conditions and requirements of the federal government in securing federal co-operation under the provisions of the Weeks law, and * * * [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

¹ Moneys other than the net proceeds from fines mentioned in I, 30 a, b.

² See II, 11.

³ No specific provision is made for compensating these special deputies and inspectors. They are, accordingly, paid out of the "forest, game and fish protective fund," on a salary basis. (See I, 26.)

SPECIAL DEPUTY FIRE WARDENS.**6. Appointment—General Powers and Duties, and Compensation.**

[The fire warden] may appoint special deputy fire wardens for each county, whose duty it shall be to assist in preventing and controlling forest fires, who shall be vested with the same authority with regard to such fires and be paid in the same manner as is provided for the deputy forest, game and fish wardens. [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515, ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51)].

7. Additional Provisions.

Are under direction of fire warden. (See I, 14.)

Enforce fire laws. (See I, 15; 27b, c.)

Make reports, quarterly and special, to fire warden. (See I, 16a, b.)

Receive as compensation:

a. One-half of fines in prosecutions instituted by them. (See I, 19.)

b. Two dollars per day for time employed at forest fires. (See II, 9.)

Pay over to fire warden fines collected. (See I, 20.)

Have jurisdiction in adjoining counties, or elsewhere, in cases of emergency. (See II, 8.)

Attend and take measures to confine and extinguish fires. (See II, 10a.)

Back-fire and take other precautions. (See II, 10b.)

Hire volunteers or impress assistance. (See II, 10c.)

Have power to enter upon lands. (See II, 10d.)

Make reports on fires, to fire warden. (See II, 11.)

DEPUTY FIRE WARDENS.**8. Created—Jurisdiction.**

All deputy forest, game and fish wardens¹ shall also be deputy fire wardens for their respective counties in which they may reside, and shall have jurisdiction in the adjoining counties thereto in case of emergency or where their services may be required. [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

¹ See "Deputy Forest, Game and Fish Wardens," I, pp. 3, 4.

PART II—Contd.]

9. Compensation for Time Employed at Forest Fires.

Deputy [fire] wardens shall receive the sum of two dollars per day for the time actually employed at forest fires, [Compensation of fire-fighting laborers.—] and all persons employed or summoned by them, not to exceed the sum of one dollars [dollar] and fifty cents per day for their services. [L. 1909, ch. 60 (sec. 52); Code 1913, sec. 3516 (ch. 62, sec. 52); L. 1915, ch. 15 (sec. 52).]

10. Have the Following Fire-fighting Powers and Duties:

a. Attend, and take measures to confine and extinguish fires.—In case of fire in or threatening to forests or woodlands, the deputy fire wardens, shall upon receiving notice thereof, forthwith attend and use all necessary means to confine and extinguish the same.

b. Back-fire, and take other precautions.—He may destroy fences, plough land, or, in an emergency, set back fires to check fire.

c. Hire volunteers, or impress assistance.—He may hire volunteers or summon any resident of his county to assist in putting out fires. Penalty for refusing to assist.—Any person summoned, who is physically able, and refuses to assist, shall be guilty of a misdemeanor, and upon conviction thereof, be fined not less than ten, nor more than fifty dollars, and in the discretion of the court or justice trying the case, be confined in the county jail for a period of not more than sixty days; and upon the default of the payment of fine and costs, he shall be confined in the county jail for not less than twenty, nor more than thirty days, unless said fine and costs are sooner paid.

d. May enter upon lands.—An action of trespass shall not lie against persons crossing or working upon lands of another to extinguish fire. [L. 1909, ch. 60 (sec. 51); Code 1913, sec. 3515 (ch. 62, sec. 51); L. 1915, ch. 15 (sec. 51).]

11. Make Fire Reports and Accounting to the Fire Warden.

* * * each deputy [fire] warden shall within twenty days after such [forest] fire render to the * * * [fire] warden a sworn report, in duplicate, giving the location and area burned over, the quantity of timber, wood, logs, bark or other forest product, and of fences, bridges and buildings destroyed, with an estimate of the value thereof, the time used by him, the names and postoffice address of all persons hired or summoned by him, who assisted him thereat, together with the time each worked.

Penalty for making any false statement in reports or accounting.—Any deputy [fire] warden who shall make any false statement in his said report, hereinbefore required to be made to the * * * [fire] warden, as to the time used by him, the names of the persons so hired or summoned by him, and who assisted him in fighting such fire, or as to the time of any such person working thereat, shall be guilty of a misdemeanor, and upon conviction thereof, be fined not less than twenty-five nor more than one hundred dollars, and for such cause shall be removed from office by the said * * * [fire] warden. [L. 1909, ch. 60 (sec. 52); Code 1913, sec. 3516 (ch. 62, sec. 52); L. 1915, ch. 15 (sec. 52).]

12. Additional Duties.

Act under direction of fire warden. (See I, 14.)

Enforce fire laws. (See I, 15; 27b, c.)

Pay over fines to fire warden. (See I, 20.)

FIRE-FIGHTING LABORERS.

13. Employment and Compensation.

Are impressed by deputy fire wardens—Penalty for refusing to assist. (See II, 10c.)

Have power to enter upon lands. (See II, 10d.)

Compensation for time employed at fires. (See II, 9.)

DISTRIBUTION OF COSTS OF FIRE PROTECTION.

STATE.

14. Pays:

a. Salaries and expenses of special deputies and inspectors (see II, 5, footnote 3), and also contributes the salaries and expenses of the following officers, to the extent of such time as each devotes to fire protection work: Fire warden (see I, 2); State forester (see I, 9, footnote 3).

b. Costs of requisitions and extraditions in prosecutions for violations of fire laws, when not collected from the offender (see I, 29 ¶4).

COUNTIES.

15. Pay Fire-Fighting Costs.

Incurred by deputy wardens.—¶1. All services so rendered [at fires by deputy wardens and fire-fighting laborers] shall be a charge against the county, and * * *, ¶2 which amounts [shown in fire report accountings by deputy wardens¹] shall be paid to the parties entitled thereto, out of the county funds, at the first session of said court² thereafter [after being certified to the county court by the fire warden for payment]. [L. 1909, ch. 60 (sec. 52); Code 1913, sec. 3516 (ch. 62, sec. 52); L. 1915, ch. 15 (sec. 52).] Incurred by special deputy fire wardens.—¶3. (See II, 6.) Amounts of fire-fighting costs recovered through legal proceedings go into treasury of the county in which the fire occurred.—¶4. (See II, 26d.)

KINDLING FIRES IN THE OPEN.

GENERAL PRECAUTIONARY RESTRICTIONS.

16. Action Required in Advance, to Prevent Spreading of Fires.

Notice to neighbors.—It shall be unlawful for any person or corporation as land owner to set, or procure another to set fire to any woods, brush, logs, leaves, grass or clearing upon their own land, unless they shall have previously given notice of their intention of firing such lands, to adjoining land owners [Disposal of brush and clearing around the land.—] and taken all possible care and precaution against the spread of such fire to other lands not their own, by previously having cut and piled the same, or carefully cleared around the land which is to be burned, so as to prevent the spread of such fire. Prima facie evidence of wilfulness or neglect.—The setting of fire contrary to the provisions of this section,³ or allowing it to escape to the injury of adjoining lands, shall be prima facie proof of willfulness, or neglect, [Liability for damages and fire-fighting costs.—] and the land owner from whose land the fire originated shall be liable in a civil action for damages for the injury resulting from such fire and also for the cost of fighting and extinguishing the same. [L. 1909, ch. 60 (sec. 53);

¹ See II, 11.

² County court of the county wherein the fire occurred.

³ Sec. 3517, Code 1913 (ch. 62, sec. 53). See Table of Acts on p. 10.

PART II—Contd.]

Code 1913, sec. 3517 (ch. 62, sec. 53); L. 1915, ch. 15 (sec. 53).] Rights of damages between parties not barred by recovery, in the name of the county, of fire-fighting expenditures and costs.—(See II, 26d.)

PROHIBITIVE RESTRICTIONS.

17. Criminal Liability.

a. For unintentionally setting fire to woods, etc.—**Penalty.**—If any of the acts mentioned in the next preceding section¹ be done unlawfully but not wilfully or maliciously, the person guilty thereof shall be fined not exceeding fifty dollars, and * * * [L. 1882, ch. 148 (sec. 9); Code 1913, sec. 5200 (ch. 145, sec. 9).]

b. For negligently setting fire to woods, etc.—If any person, or persons, negligently set on fire, any woods, fields or lands within this state, so as thereby to occasion loss, damage or injury to any other person, he shall be guilty of a misdemeanor, [**Penalty.**—] and on conviction thereof, shall be fined not less than fifty dollars nor more than five hundred dollars, and in the discretion of the justice or court trying the case, be imprisoned in the county jail not to exceed one year. [L. 1909, ch. 60 (sec. 53); Code 1913, sec. 3517 (ch. 62, sec. 53); L. 1915, ch. 15 (sec. 53).] **Prima facie** proof of wilfulness or neglect.—(See II, 16.)

c. For maliciously setting fire to woods.—If any person unlawfully and maliciously set fire to any woods, fence, grass, straw or other inflammable material which may spread fire on lands, he shall be guilty of a felony, [**Penalty.**—] and on conviction thereof shall be confined in the penitentiary not less than one year nor more than two years, and² * * * [L. 1909, ch. 60 (sec. 53); Code 1913, sec. 3517 (ch. 62, sec. 53); L. 1915, ch. 15 (sec. 53).] **Prima facie** proof of wilfulness or negligence.—(See II, 16.)

d. For failure to totally extinguish fires.—Whoever by himself, or by his servants, agents or guide, or as the servant, agent or guide of any other person, shall build any fire, or use an abandoned fire in a field, public or private road, or adjacent to, or in any woods or forest in this state, shall, before leaving such fire, totally extinguish the same, [**Penalty, when damage is caused thereby.**—] and upon failure to do so, if failure to do so shall cause damage to any property within [sic], such person or persons, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined not less than twenty-five dollars nor more than one hundred dollars and the costs of the prosecution, and upon default in paying said fine and costs, shall be confined in the county jail not more than ninety days unless said fine and costs be sooner paid. [L. 1909, ch. 60 (sec. 53); Code 1913, sec. 3517 (ch. 62, sec. 53); L. 1915, ch. 15 (sec. 53).] **Prima facie** proof of wilfulness or neglect.—(See II, 16.)

18. Civil Liability.

a. For unintentionally setting fire to woods, etc.—[If any of the acts mentioned in II, 17c be done unlawfully but not wilfully or maliciously, the person guilty thereof shall moreover be liable to any person injured thereby,

¹ The term "the next preceding section" has reference to sec. 8 of ch. 148, L. 1882 (Code 1913, sec. 5199). (See footnote 2 to subsec. c of this section, and footnote 1 to II, 18b.)

² While the provisions contained in II, 17c, 18b are direct amendments of certain provisions in L. 1909, ch. 60 (sec. 53), they appear to supersede also sec. 8 of ch. 148, L. 1882.

or in consequence thereof, for all such damages as may be sustained by such person. [L. 1882, ch. 148 (sec. 9); Code 1913, sec. 5200 (ch. 145, sec. 9).]

b. For maliciously setting fire to woods, etc.—[If any person unlawfully and maliciously set fire to any woods, fence, grass, straw or other inflammable material which may spread fire on lands, he] shall moreover be liable to any person injured thereby, or in consequence thereof, for double the amount of damages sustained by such person.¹ [L. 1909, ch. 60 (sec. 53); Code 1913, sec. 3517 (ch. 62, sec. 53); L. 1915, ch. 15 (sec. 53).] **Prima facie** proof of wilfulness or negligence. (See II, 16.)

c. For setting fire or allowing it to escape without taking required precautions in advance. (See II, 16.)

d. Rights of damages between parties not barred by recovery, in name of county, of fire-fighting expenditures and costs. (See II, 26d.)

RAILROADS.

GENERAL REQUIREMENTS.

19. Provide Spark Arresters and Devices to Prevent Escape of Fire from Ash Pans and Furnaces.

* * * every person, firm or corporation operating any locomotive steam engine in this state shall provide the same with netting of steel or iron wire so constructed, and at all such times² maintained as to prevent the escape of fire and sparks from the smoke stacks thereof, and with adequate devices to prevent the escape of fire from ash pans and furnaces which shall be used on such locomotives. [L. 1909, ch. 60 (sec. 54); Code 1913, sec. 3518 (ch. 62, sec. 54); L. 1915, ch. 15 (sec. 54).]

20. Clear Rights of Way at Least Twice a Year.

¶1. Every railroad company shall, on such part of its road as passes through forest land or lands, subject to fires from any cause, cut and remove from its right of way along such lands, at least twice a year, all grass, brush and other inflammable materials, [**Employ trackmen during seasons of drought and early spring, to put out fires.**—] and employ in seasons of drought and before vegetation has revived in the spring, sufficient trackmen to promptly put out fires on its right of way; and * * *

Leave no deposits of fire coals or ashes.—¶2. No railroad company or employee thereof shall deposit fire coals or ashes on its track or right of way near such lands.² [L. 1909, ch. 60 (sec. 54); Code 1913, sec. 3518 (ch. 62, sec. 54); L. 1915, ch. 15 (sec. 54).]

21. Extinguish Fires on Their Own and Neighboring Lands.

In case of fire on its own or neighboring lands, the railroad company shall use all practicable means to put it out. [L. 1909, ch. 60 (sec. 54); Code 1913, sec. 3518 (ch. 62, sec. 54); L. 1915, ch. 15 (sec. 54).]

EMPLOYEES.

22. Fire Duties.

Train employees report fires to station agent.—Engineers, conductors or trainmen discovering or knowing of fires in fences or other material along or near the right of way of the railroad in such lands² shall report the same at the first station to the station agent, [**Station agent notifies nearest**

¹ While the provision contained in II, 17c, 18b are direct amendments of certain provisions in L. 1909, ch. 60 (sec. 53), they appear to supersede also sec. 8 of ch. 148, L. 1882.

² See II, 20 ¶1.

PART II--Contd.]

fire warden, and takes measures to extinguish fires.--] and such station agent shall forthwith notify the nearest fire warden and use all necessary means to extinguish the same. [L. 1909, ch. 60 (sec. 54); Code 1913, sec. 3518 (ch. 62, sec. 54); L. 1915, ch. 15 (sec. 54).]

LIABILITY.

23. Criminal.

And any railroad company or officer, or employee thereof, and any person, firm, or corporation operating any such locomotive steam engine who shall violate any provisions of this section,¹ shall each be guilty of a misdemeanor, and upon conviction thereof, shall be fined a sum not less than twenty nor more than two hundred dollars. [L. 1909 ch. 60 (sec. 54); Code 1913, sec. 3518 (ch. 62, sec. 54); L. 1915 ch. 15 (sec. 54).]

24. Civil.

For damages and costs of fire-fighting in cases of injury resulting from setting fire on their own lands without taking required action in advance. (See II, 16.)

COMPULSORY BRUSH AND SLASH DISPOSAL.

IN GENERAL.

25. Notice to Neighbors, Cutting and Piling Brush, and Clearing Around Land, Required in Advance, to Prevent Spreading of Fire.

(See II, 16.) Civil and criminal liability.--(See II, 16; 17a, b, c; 18a, b.)

LEGAL PROCEDURE.

26. Forest Fire Officials are Vested with Power in Respect to the Following Matters:

a. The fire warden has general charge of, and necessary powers for the institution of legal proceedings to enforce fire laws.--(See I, 5.)

¹ Sec. 3518, Code 1913. (See Table of Acts, on p. 10.)

b. The fire warden and deputy fire wardens execute and serve warrants, arrest violators without warrant, and make complaint before proper officer.--(See I, 27b ¶1.) Impress citizens in making arrests, seizures, etc.--(See I, 27b ¶2.)

c. The fire warden and deputy fire wardens institute proceedings without sanction of prosecuting attorney for the county.--(See I, 27c ¶1.) Conduct prosecutions with same authority as prosecuting attorney--Employ attorney, when necessary.--(See I, 27c ¶2.)

d. The fire warden recovers fire-fighting expenditures and costs from offenders, in name of county.--The * * * [fire] warden in the name of the county in which any forest fire has occurred, and which has been extinguished or suppressed by his efforts, shall recover from the person or persons, firm or corporation, giving origin to such fire, the amount so expended in extinguishing said fire and the costs thereof, [Rights of damages between parties not barred.--] and the same shall not bar the rights of damage between the parties thereto. [L. 1909, ch. 60 (sec. 55); Code 1913, sec. 3519 (ch. 62, sec. 55); L. 1915, ch. 15 (sec. 54a).]

27. Additional Provisions.

Penalty for hindering forest officials. (See I, 28.)

Method of procedure. (See I, 29.)

Disposition of fines and other moneys:

a. *Fines:* One-half of fines goes to deputy fire wardens for services rendered. (See I, 19 ¶1.)--The other half is turned into the State treasury through the fire warden, and credited to the "school fund." (See I, 7; 30 b ¶2.)

b. *Moneys other than fines:* Are paid into the State treasury, and credited to the "forest, game and fish protective fund." (See I, 26.)

c. *Penalty for false returns as to moneys, or failure to pay over fines.* (See I, 32.)

d. *Court officials make quarterly reports to fire warden, as to moneys collected.* (See I, 33.)

PART III.--PUBLIC FORESTS.

(This part comprises the provisions of law, if any, for the establishment and care of state and municipal forests, and for the practice of forestry on these and on other lands owned by the state.)

STATE FORESTS.

1. Acquisition.

a. By purchase.--The forest, game and fish warden, by and with the consent of the governor, shall have the power to purchase lands in the name of the state, suitable for forest culture and reserves, [Price limited.--] at a price which shall not exceed five dollars per acre, [Available funds.--] using for such purchase any surplus money not otherwise appropriated which may be standing to the credit of the forest, game and fish protective fund; [Administration.--] and to make all rules and regulations governing state reserves; and * * *

b. By gift.--[The forest, game and fish warden] is hereby authorized, by and with the consent of the governor, to accept gifts of land to the state, [Administration--]

Object.--] the same to be held, protected and administered by the forest, game and fish warden as state forest reserves, and to be used so as to demonstrate the practical utility of timber culture and as a breeding place for game.

Reservation of mineral rights.--Such gifts must be absolute, except for the reservation of all mineral and mining rights over and under said lands, and a stipulation that they shall be administered as state forest reserves, [Title.--] and the attorney general of the state is directed to see that all deeds to the state of lands mentioned above are properly executed before the gift is accepted. [Code 1913, sec. --(ch. 62, sec. 54b); L. 1915, ch. 15 (sec. 54b).]

2. Management.

The state forester acts as executive officer of the forest, game and fish warden, in the work of forest management. (See I, 11.)

PART IV.--TAXATION.

(This part comprises the provisions of law, if any, covering the classification and taxation of forested lands and lands to be forested, the purpose of which is to encourage the practice of forestry by private owners; also such bounty and exemption laws as have a like purpose. For similar taxation provisions, if any, concerning state or municipal forests, or other state lands, see Part III.)

TABLE OF ACTS.

Legislation, as amended through regular and special sessions, 1917.

Session laws prior to Code 1913.	Code 1913.	Session laws subsequent to Code 1913.	Equivalent references in this leaflet
L. 1882, ch. 148 (sec. 8).....	Sec. 5199 (ch. 145, sec. 8).....		(See footnotes to II, 17a, c, 18b.)
L. 1882, ch. 148 (sec. 9).....	Sec. 5200 (ch. 145, sec. 9).....		II 17a, 18z.
L. 1903, ch. 60 (sec. 1).....	Sec. 3449 (ch. 62, sec. 1).....		I 1¶1, 2, 1¶2, 12, 13, 18, 22, 19¶1, 7, 19¶2, 27b¶3.
L. 1903, ch. 60 (sec. 2).....	Sec. 3450 (ch. 62, sec. 2).....		I 5, 6.
L. 1903, ch. 60 (sec. 3).....	Sec. 3451 (ch. 62, sec. 3).....		I 14¶1, 15, 14¶2, 16b, 14¶3, 29¶2.
L. 1903, ch. 60 (sec. 4).....	Sec. 3452 (ch. 62, sec. 4).....		I 27b¶1.
L. 1903, ch. 60 (sec. 6).....	Sec. 3454 (ch. 62, sec. 6).....	L. 1915, ch. 14 (sec. 6).....	I 3.
L. 1903, ch. 60 (sec. 10).....	Sec. 3468 (ch. 62, sec. 10).....		I 4.
L. 1903, ch. 60 (sec. 11).....	Sec. 3469 (ch. 62, sec. 11).....		I 27c.
L. 1903, ch. 60 (sec. 14).....	Sec. 3472 (ch. 62, sec. 14).....		I 27b¶2.
L. 1903, ch. 60 (sec. 15).....	Sec. 3473 (ch. 62, sec. 15).....	L. 1915, ch. 14 (sec. 15).....	I 16a, 23a, 20, 33.
L. 1903, ch. 60 (sec. 16).....	Sec. 3474 (ch. 62, sec. 16).....		I 32.
L. 1903, ch. 60 (sec. 17).....	Sec. 3475 (ch. 62, sec. 17).....		I 28.
L. 1903, ch. 60 (sec. 29).....	Sec. 3489 (ch. 62, sec. 29).....		I 29¶1.
L. 1903, ch. 60 (sec. 30).....	Sec. 3490 (ch. 62, sec. 30).....		I 29¶3.
L. 1903, ch. 60 (sec. 31).....	Sec. 3491 (ch. 62, sec. 31).....	L. 1915, ch. 14 (sec. 31).....	I 30b¶2, 26.
L. 1903, ch. 60 (sec. 32).....	Sec. 3492 (ch. 62, sec. 32).....		I 29¶4.
L. 1903, ch. 60 (sec. 51).....	Sec. 3515 (ch. 62, sec. 51).....	L. 1915, ch. 15 (sec. 51).....	II 1, I 9, 11, 10, II 8, 5, 6, 10a, b, c, d.
L. 1903, ch. 60 (sec. 52).....	Sec. 3516 (ch. 62, sec. 52).....	L. 1915, ch. 15 (sec. 52).....	II 9, 15¶1, 11, 2, 15¶2.
L. 1903, ch. 60 (sec. 53).....	Sec. 3517 (ch. 62, sec. 53).....	L. 1915, ch. 15 (sec. 53).....	II 17d, b, c, 18b, 16.
L. 1903, ch. 60 (sec. 54).....	Sec. 3518 (ch. 62, sec. 54).....	L. 1915, ch. 15 (sec. 54).....	II 20¶1, 19, 20¶2, 21, 22, 23.
L. 1903, ch. 60 (sec. 55).....	Sec. 3519 (ch. 62, sec. 54-a).....	L. 1915, ch. 15 (sec. 54-a).....	II 26d.
L. 1903, ch. 60 (sec. —).....	Sec. — (ch. 62, sec. 54-b).....	L. 1915, ch. 15 (sec. 54-b).....	III 1a, b.

STATE FORESTRY LAWS LEAFLETS ALREADY PUBLISHED.¹

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|--------------------|------------------|------------------|--------------------|
| 1. Wisconsin. | 7. Virginia. | 13. Indiana. | 19. Massachusetts. |
| 2. Louisiana. | 8. Idaho. | 14. Minnesota. | 20. New Hampshire. |
| 3. North Carolina. | 9. Oregon. | 15. Montana. | 21. Colorado. |
| 4. Maryland. | 10. Wyoming. | 16. Illinois. | |
| 5. Missouri. | 11. New Jersey.* | 17. Ohio. | |
| 6. Texas. | 12. Washington. | 18. Connecticut. | |

¹ The laws of other States, so far as they have been compiled, are available for loan through the Forest Service Library, Washington, D. C.

* Indicates that the supply is exhausted.

